

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 16, 2017**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Christobal Miguel Rios Case Number: 0980 2:13CR02059-MKD-1

Address of Offender: Othello, Washington 99344

Name of Original Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. Magistrate Judge

Date of Original Sentence: October 1, 2013

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 60 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Laurel Holland Date Supervision Commenced: October 4, 2016

Defense Attorney: John Stephen Roberts, Jr. Date Supervision Expires: October 3, 2019

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**PETITIONING THE COURT**

**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<b>Standard Condition # 12:</b> The defendant must live at a place approved by the probation officer. If the defendant plans to change where he or she lives or anything about his or her living arrangements (such as the people the defendant lives with), the defendant must notify the probation officer at least 10 calendar days before the change. If notifying the officer in advance is not possible due to unanticipated circumstances, the defendant must notify the probation office within 72 hours of becoming aware of a change or expected change.
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**Supporting Evidence:** The defendant is considered to be in violation of his period of supervised release by failing to provide a change of residence.

On May 15, 2017, contact was made with the defendant's mother after she had provided several voice mails and text messages about the defendant's status. She advised the defendant had been gone from her home for almost 2 weeks. She had no idea where the defendant was residing. Attempts were made to contact the defendant by phone but the phone had been turned off. At this time, the defendant's whereabouts are unknown.

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- 2            **Special Condition # 21:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** The defendant is considered to be in violation of his period of supervised release by failing to report for chemical dependency treatment on May 8, 9, and 11, 2017.

The defendant is currently scheduled to participating in intensive outpatient treatment three times per week with Grant County Prevention and Recovery Center (PARC) in Moses Lake. On May 8, 9, and 11, 2017, the defendant failed to report for his scheduled treatment.

On May 11, 2017, the defendant was contacted via phone and asked why he had missed his scheduled appointments and he stated, "I don't know." He would not offer any additional information. He was reminded to attend all of his upcoming sessions. The defendant failed to report for his May 11, 2017, session after we spoke.

- 3            **STEP Condition:** You shall undergo a mental health evaluation and follow any treatment recommendations as a result of the evaluation.

**Supporting Evidence:** The defendant is considered to be in violation of his period of supervised release by failing to undergo an assessment for mental health treatment.

On April 7, 2017, the defendant requested to attend mental health treatment as part of his STEP conditions. The order was signed and the defendant was directed to contact a provider in Moses Lake. After several weeks of failing to follow through with setting the assessment appointment, he asked to meet with Riverview Counseling on May 4, 2017. The defendant was referred, but he once again failed to follow through with the assessment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:    5/16/2017

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s/David L. McCary

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David L. McCary  
U.S. Probation Officer


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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

*M. K. Dimke* 

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Signature of Judicial Officer

5/16/2017

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Date